

1

Question:

1. Round 4 responses to questions, Question number 4, and Round 5 responses, Questions number 19 and 34 relate to the creation of New PM Guides, and their inclusion in the Technical Volume of the Proposal. The government stated that the manufacturers PM guidance can be attached to a prospective PM guide and submitted, but that the manufacturer guidance is not available or identifiable for each site. Additionally, it was suggested that a request be made during site visits to see the documents. This answer was released halfway through the site visits, and when the documents were specifically requested during a site visit; the requestor was told that the documents were not available. This creates a virtual Catch-22, where the information is required, but the supporting data cannot be provided to create the required information. Additionally, reviewing TE-5s, and comparing them with the TE-4, is insufficient for breaking the code on trying to determine what is covered. The current TE-5s appear to be incorrect at this time, based upon the release of the new TE-2s for the sites.

Recommend the requirement to provide guide cards be eliminated, and that the requirement to develop new PM guides upon discovery be retained. This can be accomplished during the phase-in period, with the same approval process occurring. This would create a level playing field, as the bidders do not have continuous access to the facilities to accomplish this proposal task correctly.

If PM Guides are to be included, please confirm that they will not count in the Technical Volume page count, as no change has been made to Section L, which relieves the bidder from this constraint.

Answer:

The requirement for the Service Provider to provide new or Service Provider developed guide cards has been eliminated. Amendment 5 modifies Section C and L to affect this change. Note: The requirement to identify what equipment will need to have new guide card developed as part of the offeror's proposal has not been deleted.

2

Question:

2. Paragraph 3.1.6 Snow Removal and Ice Abatement requires the contractor to perform these tasks as part of the Basic Services of the fixed price portion of the contract. How can the contractor reasonably estimate the time and materials needed to perform this task since there is no reliable method of forecasting five years of snow and ice accumulations? We recommend that the government contract these services on a time and materials basis as it is currently performed on similar IRS contracts. This will save the government

money by paying only for actual services required and eliminating the need for contractors to price for the worst-case scenario.

Answer:

Only the Covington site requires a significant amount of snow removal. The other two sites involved merely require snow to be removed from their walkways. The five year period would serve to mitigate risk, not increase it. Annual snow accumulations are obtainable for Northern Kentucky. An estimate or average for a five period is more likely to be accurate for a five year period than a one year period. Due to the historical data which should be available and the five year performance period, the amount of risk involved is not deemed to be unreasonable. This answer does not apply to PWS Paragraph 4.1.4 Snow Hauling.

3

Question:

3. Paragraph 3.4.6, Certification Inspection and Testing requires all certification testing to be accomplished by an independent firm not affiliated with the Service Provider at no additional cost to the Government. If the Service Provider utilizes a partner or sub-provider who, in the eyes of the service provider, provides certified services to perform the required tasks and is the best and most qualified to perform this work, why would the service provider want to have their work checked by the second best? Recommend revising this paragraph to state if work is not performed by certified providers, then the work shall be inspected and certification testing shall be accomplished by an independent firm not affiliated with the Service Provider at no additional cost to the Government.

Answer:

After consideration the independent testing requirement will remain unaltered.

4

Question:

4. Paragraph 3.5 Personnel Requirements states that the COTR “may waive the minimum requirements stated herein as deemed necessary”. Under what circumstances and which specific requirements does the COTR have authority to waive, and will it be applicable to each site since there will be the possibility of multiple COTRS assigned under this contract? How will the government ensure a uniform and consistent standard applies to all sites for similar circumstances?

Answer: The COTR(s) will serve under the direction of the Administrative Contracting Officer (ACO), who will ensure uniform and consistent standards are followed. Per the Office of Management and Budget (OMB) Circular Number A-76 (May 29, 2003), the number and location of these individuals will be determine after acceptance of the winning proposal. The Service has vast expertise in administrating similar contracts by utilizing a lead COTR who would coordinate with local COTRs. Written guidelines and close communication between all parties play a key roll in assuring this process works correctly.

5

Question:

5. Reference Section G.1.3, Assistant COTRs. According to the reference, the same duties and restrictions apply to the Assistant COTRs as to the COTR. The locally assigned Assistant COTR will be the Service Provider's On-site Project Manager local point of contact. Performance issues will be reported to the COTR by the Assistant COTR for resolutions. The final RFP defines the role of the Assistant COTR at each site. However, there is no reference in Section C, or in Section H to the Assistant COTR. Since the RFP has numerous submissions and notifications to the COTR with subsequent approval. It appears that some of these are for the overall project and some may be only for the Assistant COTR with perhaps an info copy to the overall project COTR. Please clarify references as to which belongs to the COTR and which belongs to the assistant COTRs.

Answer:

See answer to question 4.

6

Question:

6. When creating PM guides, who will provide final approval to ensure that different requirements are not promulgated between different sites, which would create a non-standard guide for inclusion in the TE-4. Knowing that there will be the possibility of six separate COTRs for this contract, what authority will make decisions that reach across the entire contract?

Answer:

See answer to question 4.

7

Question:

7. Paragraph L.12 Provisions Unique to the Agency Tender states that the agency tender is not required to include licensing or other certifications, yet the RFP requires contractors' personnel to have the appropriate local/state/federal certifications and licenses. This raises the following observations and questions:

- a. Which specific certifications are exempted from the agency tender; i.e. personnel certifications, equipment certifications, etc?
- b. Contractors' position descriptions must include these licensing/certification requirements as mandated, which will preclude hiring any government personnel who do not meet these requirements.
- c. This requirement imposes an inequitable cost burden on the contractor (and thus a cost saving for the agency tender) since employees with these qualifications demand a higher salary.

d. A certified/licensed tradesman has a proven track record of knowledge and experience that most likely exceeds that of a non-certified/non-licensed worker. How will the government evaluate the inherent advantages of a certified/licensed contractor versus an equivalent agency tender tradesman who is not certified or licensed?

Answer:

Question: 7. Paragraph L.12 Provisions Unique to the Agency Tender states that the agency tender is not required to include licensing or other certifications, yet the RFP requires contractors' personnel to have the appropriate local/state/federal certifications and licenses. This raises the following observations and questions:

Question: a. Which specific certifications are exempted from the agency tender; i.e. personnel certifications, equipment certifications, etc?

There are two types of certifications required by the PWS. Certifications (1) that are required as part of the performance process and (2) certifications required to be qualified to perform the work. Performance process certifications, such as those involved in Preventive Maintenance (PM), certifications required as part of inspection and acceptance of work, test schedule certifications and certifications of equipment condition are not considered to fall within the exemption listed at OMB Circular No. A-76 revised May 29, 2003 Section D. Specialized equipment repair certifications are not identified as part of the proposal process and are also not considered to fall within the OMB exemption. Training sessions required to perform certain tasks are not considered a license or certification.

Qualifications required to be eligible for award and to be authorized to perform the work do fall within the circular exemption. These involve the tradesman certifications. The PWS states the Service Provider "shall adhere to any special certification, licenses, or training requirements required by Federal, State or Local Jurisdictions." The public sector source would be exempt from this requirement if the "as-is" organization personnel are currently exempt. For example, the "as-is" organization would be exempt from State or Local Jurisdictions but would be required to follow federal licensing requirements. The circular would not exempt the public sector from requirements of Federal law.

The only two positions that are specifically denoted by the PWS, which require a license or certification, are an Electrician and a Heating, Ventilation and Air Conditioning (HVAC) Technician. The exemption for the licensing and certification requirements is regulatory and is an inherent advantage to the public sector provider. They are designed to assure that the public sector provider is not disqualified to compete in the procurement process.

Question: b. Contractors' position descriptions must include these licensing/certification requirements as mandated, which will preclude hiring any government personnel who do not meet these requirements.

Answer: Private sector service provider employees would be required to be licensed by

the end of the phase-in period. In the event of a private sector award, in order for a former IRS employee to perform in certain capacities, those employees would need to be licensed before the end of the phase-in period.

Question: c. This requirement imposes an inequitable cost burden on the contractor (and thus a cost saving for the agency tender) since employees with these qualifications demand a higher salary.

Answer: The L.12 provision mirrors the exemption contained in OMB Circular No. A-76 Section D. Standard Competition Procedures, Paragraph 3. (4). That exemption states "**Provisions Unique to the Agency Tender.** A solicitation shall state that the agency tender is not required to include (a) a labor strike plan;... (e) [licensing or other certifications](#); ... (unless the agency tender is based on an MEO that has been implemented in accordance with this circular or a previous OMB Circular A-76)." The requirement is regulatory.

Question: d. A certified/licensed tradesman has a proven track record of knowledge and experience that most likely exceeds that of a non-certified/non-licensed worker. How will the government evaluate the inherent advantages of a certified/licensed contractor versus an equivalent agency tender tradesman who is not certified or licensed?

Answer: Government employees will be evaluated based on the experience of the employees in doing the work contracted for.

8

Question:

8. Examination of TE-2 CA and TE-5-CA indicates that some items on the critical equipment list are not properly reflected on the Equipment list for the site, and other equipment items do not appear at all. One specific example is: TE-2 CA EQUIP NO. A-07A-01 does not appear on TE-5-CA, but a serial number search shows it as Item #95, A-10A-8. Additionally, the nomenclatures and model numbers do not match between the two TEs. During the pre-solicitation conference, the attendees were told that the Equipment Lists (TE-5s) were complete and correct. This is not the only mismatch that appears between these two documents for this site. Please clarify that all items on the TE-2s are correctly reflected on the TE-5s, and that all TE-5s are accurate. What is the correct guiding document?

Answer:

There is no order of precedence among the technical exhibits. The technical exhibits have been modified to eliminate inconsistencies. Technical Exhibit TE-5 has been modified to incorporate critical equipment requirement by adding a column to all of the TE-5's identifying the critical equipment. This has eliminated all discrepancies between the previous versions of TE-5 and TE-2-2. All of the NEW TE-2-2's for each site currently on the web site will be deleted. The TE-2 covering all systems and equipment to be included in the contract remain as is in the solicitation and on the web site.

9

Question:

9. Reference Section C, paragraph 3.10.5.1.1, Inventory of Refrigerants. Reference states, “The Service Provider shall develop a Refrigerant Management Plan for this contract in accordance with GSA and/or Federal regulations for the review and approval of the COTR (within the phase in period). “ **Section L11.C** states, “The following items are required to be submitted with offeror's proposal: **L11.C (18) Refrigerant Management Plan** (Paragraph 10.5.1.1). The system details required to develop a Refrigerant Management Plan are not provided in the PWS or Technical Exhibits. The PWS indicates the plan is developed, reviewed and approved by the COTR within the phase in period. However, Section L 11 C requires the Refrigerant Management Plan be submitted with the offerors's proposal. Please clarify and indicate if included in the proposal, whether the TEs will be revised to provide the data needed to prepare the plan and if it is included in the page count

Answer:

The plan needs only to be general in nature and not specific to the actual equipment that is located at each site. Specific system details are not required to develop the plan. The Refrigerant Management Plan has four basic required entries (leak detection, a 30 day verification inspection, and if refrigerant is added or removed) into the Refrigerant Compliance Manager program.

10

Question:

10. Reference Section L, Part 3, Mission Capability, Section 1, Factor 1, Technical Approach, first paragraph, last sentence. Reference states, “The proposed labor for each requirement or task by each site location shall be identified using Attachment L-3.” Sub factor 4, Additional Services, paragraph (b), Associated Labor Requirements, states, “The offeror shall complete Attachment L-3 for each site to identify the direct labor required to perform each of the tasks. Please clarify what additional tasks are required since we are unable to complete form L-3 without the Government identifying what the tasks are.

Answer:

Direct labor hours estimates associated with 4.1 should be comprised of the labor for placement, evaluation and administration of task orders issued under the authority of Performance Work Statement paragraph 4.3 and Section I Clause I.3 – “52.216-18 ORDERING (Oct 1995)” which are to be included in the Firm Fixed Price effort under task. These hours should correspond with L-3 attachment and the cost proposed for CLINs 0002, 1002, 2002, 3002, and 4002.

11

Question:

11. Reference Section B.2 Contract Minimum and Maximum. Reference provides a min/max range of \$12K to \$2M. CLIN1002, Additional Services requests pricing for additional services for all sites. Would the Government provide some data as to the number and types of IQ tasks anticipated and some estimate of where in the min/max

range the tasks are expected to fall so we can make some judgment as to what we can expect to receive under this CLIN

Answer:

The “as – is” facilities and operations organization is currently responsible for all service calls regardless of dollar value. As a result service call data exceeding the \$2,500 threshold was not uniformly and accurately kept at all sites.

12

Question:

12. Past Performance - For population of the building, is that number based on people working in the building 6-8 hours a day, or does it include visiting public who may only spend a short period of time in the building

Answer:

Full time on site workers

13

Question:

13. Round 4, Question 15 stated that Section C, Para 3.12.2 would be changed in the PWS. This change has not occurred.

Answer:

The answer to Round 4, Question 15 is revised. The PWS paragraph 3.12.2 requirement pertains to the quality control procedures during contractor performance. The original PWS language which is currently published will not be changed. However, Amendment 5 will change Section L to allow for the submission of the plan at the proposal stage without the names of the quality inspectors required.

14

Question:

14. Round 5, Question 4 stated that Section C, Para 3.2 will be changed to reflect new verbiage that changed the requirement from the government answer provided in Round 4, Question 1. This change has not occurred. Which answer is the correct one?

Answer:

Amendment 5 will correct this oversight.

15

Question:

15. Round 5, Question 18 and Question 20 stated that TE-5 would be updated to reflect correct information. This change has not occurred.

Answer:

The answer to Round 5 Question 18 is revised. The guide cards identified for the UPS systems are correct as currently presented in the Technical Exhibits with the exception of a few minor changes.

Each site may have different guide cards for UPS system maintenance since each of these guide cards are specific to a certain brand of UPS and/or frequency of PM as

follows:

Guide Card E-59

This is a general guide card and should be used for Liebert units (Quarterly PM). This guide card is used at Austin, TX and Fresno, CA

Guide Card E-60

This is a specific guide card for Liebert units (Annual PM). This guide card is used at Austin, TX and Fresno, CA

Guide Card E-61

This is a specific guide card for Power Systems rotary UPS units (Quarterly and Annual PM). This guide card is used at Covington, KY.

Guide Card E-65

This is a specific guide card for Emerson UPS units (Annual PM). This guide card is used at Austin, TX..

Guide Card E-66

This is a specific guide card for Pillar rotary UPS units (Semi-Annual and Annual PM). This guide card is used at Covington, KY and Ogden, UT.

For the clocks battery Technical Exhibit TE-5 has been correct to incorporate the updated Guide Card Number.

16

Question:

16. Round 5, Question 8 stated that information related to the Washington D.C. energy management system would be included in TE-5. This change has not occurred.

Answer:

Round 5 Question 8 is revised. The Washington D.C. energy management system will not be included in this cost study. The Service Provider will only be held accountable for the items contained in the Technical Exhibits.

17

Question:

17. Round 5, Question 41 stated that Section C, Para 3.2.1 would be changed to correctly reflect the requirement. This change has not occurred.

Answer:

Amendment 5 will correct this oversight.

18

Question:

18. Reference Section E.1, Payments Clause. - Referenced clause states that the

Government can issue "additional service task orders" under a Time & Material basis. This is an Indefinite Quantity contract with task orders being placed on a Firm Fixed Price basis. Where in the RFP does it ask for the offeror to provide labor hours.

Answer:

Clause deleted. See Amendment 5.

19

Question:

19. Reference Section I, page I - 2. The RFP identifies a several FAR clauses that are applicable if task orders are issued on a T&M basis. Since the RFP does not specify the requirement to propose labor hour rates it appears the Government will be unable to issue T&M task orders. Please clarify.

Answer:

Time and Material clauses have been deleted. See Amendment 5.

20

Question:

20. The inclusion of 86 additional days to phase in (to 146 days) in order to assist the SP (commercial providers) with interviewing and consideration of impacted employees for any available positions under the Right of First Refusal of Employment requirement, prompts the following request for clarification. When does the Government plan to release the list of adversely affected employees for each site to the SP for the interviewing and consideration process to begin? This date for each site will then drive the final milestone schedule timelines to accommodate the lengthy transition period.

Answer:

The Reduction in Force (RIF) must be concluded before the list of adversely affected employees can be developed. The RIF process can not be started until an award announcement is made. Customarily, the list has been provided shortly after the award announcement is made.

21

Question:

21. Reference Section H.6 and H.10 - These references appear to be the same clause. Suggest that one of them be deleted.

Answer:

Special Provision H.10 has been deleted. See Amendment 5.

22

Question:

22. Reference Section K.5 - Referenced clause appears to be the wrong 52.209-5 clause (the date is correct but the words appear to be incorrect). Request the Government review referenced clause and correct the language in the contract clause for FAR 52.209-5.

Answer:

Clause K-5 has been corrected. See Amendment 5.

23

Question:

23. Reference Section L.3. - This reference appears to be a modified version of the referenced FAR clause. As the Government has the right to issue T&M task orders, can the Government clarify their approach to issuing T&M task orders without negotiated labor rates being included in the contract.

Answer:

Section L.3 FAR Clause 52.216-1 has been modified. See Amendment 5.

24

Question:

24. Reference Section M, Sub factor 5 Element 1, Small and Disadvantaged Business Subcontracting Plan. Reference states that "...a review of the Offeror's 2002 SF294 and 295". Subfactor 5 Element 3, states "The Offeror's 2003 SF294 and 295....". Please clarify the year requested.

Answer:

Amendment 5 corrects the year for Section M, Sub factor 5 Element 1, Small and Disadvantaged Business Subcontracting Plan.

25

Question:

25. However, we are having problems trying to figure out what we are to estimate in the "Additional Services" line item. The limit of the contract for additional services is so low when divided by 6 locations that we wonder what the intent is for bidders to include. Each site would be apportioned approximately \$330K per year...and, that would be a maximum amount.

That small amount can be administered by the basic services people assigned to each location. Are you mainly looking for us to apply our G&A and profit associated with the \$2,000,000 maximum exposure as referenced on page 1 of amendment/modification 00001?

Additionally, if we were to propose estimators and clerical personnel to support the "Additional Services" there is no guarantee that we would be paid for these personnel because this Line Item is referenced as IDIQ and not FFP. Same with our G&A and any Profit.

Answer: The \$2,000,000 IDIQ is a wash cost for all offerors and will not be priced in the solicitation. However, the administration costs associated with the Placement, Evaluation and Administration for all task orders must be to be broken down to determine cost realism as this amount will be fixed based on anticipated IDIQ work of \$2 million. That fixed price would be proposed in CLINs 0002, 1002, 2002, 3002, and 4002. The supporting documentation needs to address the anticipated costs for the administration for the IDIQ work, which will includes the necessary proposal preparer and clerical hours to establish and manage the task orders and other indirect costs plus profit.

26

Question:

26. Page B-2, CLIN 9001 shows the Phase-in period of performance from 10 June 2005 to 2 November 2006. However, SLINs 9001A through 9001F show a quantity of 2 months. Please clarify.

Answer:

Period of Performance corrected. See Amendment 5.

27

Question:

27. Paragraph H.15 Authorized IDIQ Charges states that for issued Task Orders, no pass through costs or profit will be allowed. Please clarify the intent of this statement. Does this mean that contractors will not be allowed to recover indirect costs (subcontract handling, G&A, etc.) as disclosed and approved by government audited accounting systems? We recommend that such costs and profit be allowed when estimating new IDIQ work based on known costs and requirements at the time of request. The resulting costs would then be incorporated into the fixed price award for the work to be performed.

Answer:

Pass thru costs will not be allowed to be included in the task order pricing. These costs must be included in the basic services fixed price portion of the contract (CLINs 0002, 1002, 2002, 3002, and 4002).

28

Question:

28. Sub-Factor 2. Service Calls has increased requirements, which are difficult to estimate based upon the uncorrelated data provided by the government (TE-2s & TE-5s), the limited on-site time available for an examination (with no questions answered and no documents provided when requested per the CO's guidance), and incomplete historical information related to service calls generated. This sub-factor specifically directs the prospective bidder to answer the following items:

What materials and equipment are required to support service call work under \$2,500.

What service call materials will be stocked on-site.

Only the incumbent, who has on-site experience and the ability to utilize all the historical data contained in the government CMMS system, will be able to answer this question. Additionally, this contract is a firm-fixed price contract, and as such it is up to the contractor to determine what equipment and supplies are required to perform the work and to have those available to accomplish the task. To estimate requirements without having any parameters related to the work is both risky and foolish. Only an insider (incumbent) can accurately and effectively answer these questions (and therefore gain the advantage) as all the support resources are restricted to the prospective bidder.

Answer:

Sufficient information on building requirements and equipment is contained in the

Technical Exhibits. When used in conjunction with the offeror's experience, it provides a reasonable basis to determine materials and equipment required to support service call work under \$2,500 and service call materials that should be stocked on-site.

29

Question:

29. Snow Removal Plan - Paragraph 3.1.6 C. This paragraph requires the Service Provider to provide a detailed snow removal plan including a "drawing of the site depicting the sequence of how snow and ice will be removed from each site". However, Technical Exhibit 1, General Location and Site Information, does not provide a detailed diagram of the exterior areas of the sites, such as the parking and sidewalks, that would allow the Service Provider to accurately provide this information.

Requested action- Technical Exhibit 1 be modified to add the exterior dimensions of the Kentucky, Texas and Utah sites to include the parking lots and sidewalks.

Answer:

Technical Exhibit drawing for the three sites which involve snow removal are to scale and should serve as an adequate basis to prepare an accurate bid for that section of the effort. Total square feet for Ogden and Covington sites for both parking and road ways, and sidewalks have been added to Technical Exhibit TE-1 General Location and site information paragraph number 5.

30

Question:

30. Paragraph 4.1.4 Snow Hauling states that "the Service Provider will be reimbursed based on the hourly rates stated in Section B, Price Schedule, and based on the number of on-site hours expended for use of a dump truck with driver and use of a loader with operator as documented in the IRS security log (located in the security area to be identified by the COTR)." Where in Section B should the contractor price this requirement?

Answer:

Amendment 5 will alter the snow hauling language deleting the sentence referenced in the PWS. Snowing hauling for the above labor categories will be obtained through the use IDIQ task order if the snow hauling expense exceeds \$2,500.

31

Question:

31. Asbestos Containing Materials: Section C, page C-33, paragraph 3.10.8.2, ACM Removal Standards states that "The Service Provider shall be responsible for the removal or abatement of all asbestos-containing materials, such as sediment dust, sprayed on applications or insulation, which are encountered, and are incidental to the performance of repairs of a particular piece of equipment (as part of the basic services portion of this contract)." This requires the contractor to estimate the potential cost to remove or abate all known and unknown occurrences of asbestos throughout all six facilities. This is

inconsistent with other similar IRS contracts where ACM testing, abatement, or removal is treated as additional services. This statement will result in the government paying up front for all potential ACM costs as contractors are forced to “guestimate” such costs as part of the fixed price for basic services. In order to save money, we recommend that ACM be treated as additional services on an as needed basis. If this is not possible, please identify all locations and the quantity of ACM to allow for proper cost estimate of the basic services.

Answer:

The phrase “as part of the basic services portion of the contract” will be deleted in Amendment 5. With that change, the requirement for removal or abatement of all Asbestos Containing Materials (ACM) is considered appropriate and reasonable. Removal is only required for services calls placed for repair effort. The Service Provider is only responsible for the first \$2,500 of all service call repairs tasks. Any amounts over that threshold are handled through the IDIQ task order. If there is no repair task being accomplished the contractor is not responsible for ACM removal (see underlined section above). Due to the high cost of asbestos removal or abatement, it is believed in the vast majority of instances, the additional cost of asbestos removal would drive up the cost of the service call above the \$2,500 threshold. As a result, the majority of asbestos removal is expected to be reimbursed as part of an IDIQ order. In the event, that an asbestos removal requirement is discovered during a repair, the Service provider will identify the change to the service call in accordance with PWS paragraph 3.3.1 General Service Call Requirements.

32

Question:

32. For a building to meet the past performance requirements, does it have to meet all the items listed in the past performance section of Section L of the RFP. Particularly since not all of the buildings under this procurement meet all of these items. These items are listed below:

- 1) as a minimum, 10,000 square feet of mini and or mainframe computer room/ADP space in a single location in one building ; and
2. as a minimum, 400,000 to 600,000 square feet of office space in one building or campus with building populations of more than 1,000 personnel; and
3. As a minimum, the following type and sizes of complex building systems:
 - a. Chiller plant with greater tan 1200 tons of capacity, central UPS

systems greater than 200 KW, centralized building energy management and BAS systems, centralized emergency generators greater than 300 KW

Answer: There are two Past Performance scenarios concerning the prospective Service Provider’s ability to be considered for award. The first is a case in which past performance is available. The second is a case in which past performance is unavailable.

In the event the past performance information is available; the offeror must receive a

passing score to be considered for award. Section M clause M.3. EVALUATION CRITERIA identifies the Past Performance factor as pass/fail stating “For pass fail rated items each offeror will be rated as acceptable or unacceptable. Failure to receive a passing score for any of the below listed factors will result in rejection of an offeror’s proposal notwithstanding passing scores for other evaluation factors. Factor acceptability will be determined by evaluating each responsive proposal and comparing the results of that evaluation against the requirements specified in this solicitation. The below listed evaluation factor will not be included in the price technical tradeoff.” Evidence that an offeror has poor past performance in any area will result in failure of the entire element, subject to the requirements of FAR 15.306(b) (1) (i) if discussions are conducted.

However, in order for the information to be considered available, it must meet both the criteria of recent and relevant contract performance (see Section L, paragraph L.11.3.2). For Past Performance to be determined recent, it must have occurred within the last five (5) years from the date of solicitation issuance. To be considered relevant, each reference should meet the requirements of elements 1 through 3 above and one reference should meet the requirements of element number 4 above (See solicitation and Amendment 5 for numbering change). Section M clause M.4. PAST PERFORMANCE EVALUATION FACTOR contains the following note “Note that the unavailability of past performance records or information (due to nonexistence of past performance records or information) can not result in a failure of this factor, but will result in a neutral rating of this factor.” If an offeror can not meet the above minimum criteria, the offeror will receive a neutral rating.

33

Question:

33. Section L Part 2 (Past Performance) states “(1) For the purpose of satisfying this requirement, scope and magnitude of work shall be essentially comparable to this acquisition. Provide a list of all active or completed contracts during the last five (5) years from the date of solicitation issuance. This list shall only include the offeror’s contracts as a prime performing all facilities operations, maintenance, and repair services of building equipment in buildings with greater than:

- As a minimum, 10,000 square feet of mini and or mainframe computer room/ADP space in a single location in one building;

- As a minimum 400,000 to 600,000 square feet of office space in one building or campus with building populations of more than 1,000 personnel;

- As a minimum, the following type and sizes of complex building systems
Chiller plant with greater than 1200 tons of capacity, central USP systems greater than 200 KW, centralized building energy management and BAS systems, centralized emergency generators greater than 300 KW

- A minimum of 2 locations with contracts requiring on-site 24/7 x 365 Operations and Maintenance

- As a minimum, one historical building with a minimum of 200,000 square feet”

This past performance requirement, as written, restricts fair and open competition since the probability on any one contract meeting all the above requirements is statistically insignificant. It is also technologically behind the times since many if not most agencies are eliminating centralized computer rooms in favor of server farms in a distributed environment which enhances continuity of operations.

Answer: See response to question 32. The minimal requirements reflect the current conditions not possible future requirements.

34

Question:

34. Sub Factor 3. Preventive Maintenance (PM) and Certification is similar, with the following two instances cited as examples:

How equipment history database will be established and maintained. Is this not the same equipment history database that the government is generating the TE2 and TE5 data from out of the established CMMS systems?

List of critical spare parts for equipment PM and repairs activities that will be maintained on-site. Same firm-fixed price comments above apply.

Answer:

Sufficient information on building requirements and equipment is contained in the Technical Exhibits. When used in conjunction with the offeror's experience it provides a reasonable basis to determine the critical spares need. The offeror is not required to provide model numbers of equipment and materials but rather a category such as bearings for RUPS units, hi voltage fuses, HVAC filters, etc.

35

Question:

Our normal cost reports that accompany all of our proposals cover all of the information that is required in Attachments L4-L10. Can you confirm that we do not have to complete the Attachments L4-L10 because our normal reports contain adequate details?

We will indicate on the Attachment L4-L10 the location of the details on our reports.

Answer:

The solicitation does not mandate the use of the Section L attached Cost Figures L-4 thru L-10. Offerors may use alternative cost models. However, the model must comply with the cost proposal instruction for pricing information and the instruction for Individual cost elements. Information must be fully identifiable to the individual CLIN and Sub-CLIN level.

